

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

WENDELL TERRELL BROWN

CRIMINAL COMPLAINT

Case Number:

12-mj-308-Ser

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about 5/5/2012, in Ramsey County, in the State and District of Minnesota, the defendant possessed in and affecting commerce, a firearm, namely a Ruger P94DAO .40 caliber pistol. At the time of possession of this firearm, the defendant had been previously convicted of at least five felony crimes punishable by imprisonment for a term exceeding one year.

SEE ATTACHED AFFIDAVIT

in violation of Title 18, United States Code, Section(s) 922(G)(1) and 924(a)(2).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

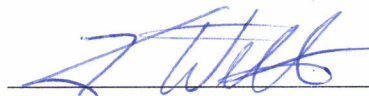
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

30 May 2012 1:00 PM at

The Honorable Steven E. Rau
UNITED STATES MAGISTRATE JUDGE

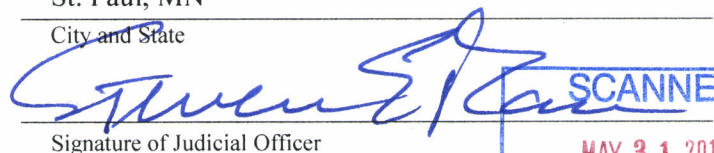
Name & Title of Judicial Officer



Signature of Complainant
Kylie M. Williamson
ATF

St. Paul, MN

City and State



Signature of Judicial Officer

SCANNED

MAY 31 2012

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)

ss. **AFFIDAVIT OF SA KYLIE M. WILLIAMSON**

1. Your Affiant is a Special Agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives, (ATF) and has been so employed for approximately five years. As an ATF agent, your Affiant's primary investigative responsibilities are investigating violations of the federal firearms laws and narcotics laws.

2. On May 5, 2012, Officer Mack of the St. Paul Police Department, while assigned to a traffic safety initiative, conducted a traffic stop of a vehicle near Kellogg Boulevard and Sibley in St. Paul, Minnesota, because the officer observed occupants in the vehicle not wearing seatbelts. As he approached the vehicle, Officer Mack detected a strong odor of marijuana coming from inside the vehicle. The driver of the vehicle told Officer Mack that the front seat passenger, Wendell Terrell BROWN, and a juvenile rear passenger had both smoked marijuana inside the vehicle earlier in the day. The driver of the vehicle, who was also the registered owner of the vehicle, then consented to a search of her vehicle.

3. During a search of the vehicle, Officer Mack recovered a black Ruger P94DAO .40 caliber pistol from the passenger side glove compartment. Also in the same glove compartment, Officer Mack recovered six individually wrapped baggies of marijuana.


4. In a post-Miranda interview, BROWN admitted that the

handgun and marijuana recovered by Officer Mack belonged to BROWN. BROWN stated that he had been threatened so he purchased the firearm for \$400.00. In addition, BROWN stated that he knew he was ineligible to possess a firearm because he had just done prison time.

5. Based on my training and experience, I know that the Ruger P94DAO .40 caliber pistol found in the glove compartment was not manufactured in the State of Minnesota. Therefore, I know that this item was shipped or transported into Minnesota through interstate commerce.

6. I have reviewed and am familiar with BROWN'S criminal history. Specifically, in 1998, BROWN was convicted of Terroristic Threats and was sentenced to 1 year and 1 day in prison. Also in 1998, BROWN was convicted of possession of a short-barreled shotgun and was sentenced to 17 months in prison. In 2002, Brown was convicted of possession of a firearm by a felon and was sentenced to 48 months in prison. In 2009, BROWN was convicted of possession with intent to distribute marijuana and was sentenced to three years probation. Finally, in 2010, BROWN was convicted of possession of narcotics and was sentenced to 21 months in prison, which was stayed for five years. BROWN is currently on probation in Ramsey County and was on probation at the time of this incident. Based on BROWN'S criminal history, he is prohibited from possessing firearms.

Further your Affiant sayeth not.



KYLIE M. WILLIAMSON
Special Agent, ATF

SUBSCRIBED and SWORN to before

me this 30th day of MAY, 2012.



STEVEN E. Rau
United States Magistrate Judge